

MINUTES
BOARD OF COMMISSIONERS MEETING
General Session
November 21, 2008
Idaho Falls, Idaho

President Baker called the General Session of the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:05 a.m. In addition to President Baker, in attendance for the meeting were Commissioners Dwight Baker, Newal Squyres, Doug Mushlitz, Jim Meservy, and Deborah Ferguson; Bar Counsel Brad Andrews and Executive Director Diane Minnich, who acted as the secretary.

EXECUTIVE SESSION

Per Idaho Code Section 67-2345, the Commission, after an aye vote was recorded from each Commissioner, moved into executive session at 9:05 a.m. The executive session adjourned at 10:40 a.m.

CONSENT AGENDA

MINUTES

It was moved, seconded and passed to approve the minutes of October 8-10, 2008 as submitted.

APPOINTMENT

Pursuant to a previous email vote, it was moved, seconded and passed to appoint William G. Meyers as the Trustee from Idaho to the Rocky Mineral Law Foundation Board of Trustees.

BAR EXAM

On November 20, in Pocatello, the Commission met with Bar Exam Review Committee member and Bar Exam Prep Committee Chair Lane Erickson to discuss the recommendation of the review committee and the process for developing the bar exam. It was moved, seconded and passed to approve the recommendation of the committee to eliminate the Idaho generated questions from the Idaho bar exam, with the exception of Community Property, and to change the weighting of the scores to assign 50% of the weight to the MBE and 50% of the weight to the essay portion of the exam.

The Commission also discussed the proposed topic changes generated by a Committee in 2006. The Executive Director reported that, for unknown reasons, the changes were not submitted to the Idaho Supreme Court. The staff agreed to add these changes to the current process of revising the admission rules and grading standards and procedures.

CODE COMMISSION

Pursuant to Idaho Code Section 73-203 the Commission considered an appointment to the Idaho Code Commission, current member Daniel Bowen's term expires on December 1, 2008. It was moved, seconded and passed to reappoint Daniel Bowen to the Idaho Code Commission.

STATUS CHANGE

The Commission considered a request from attorney Nicole McKay to transfer from affiliate to active status. Ms. McKay has been an affiliate member since January 2004. It was moved, seconded and passed to approve Nicole McKay's request to transfer from affiliate to active status with the following conditions in addition to the conditions set forth in IBCR 305; obtain an additional 15 hours of CLE credit to include the practical skills course.

IDAHO JUDICIAL COUNCIL MEETING NOTES

Commissioner Ferguson discussed the issue raised by the Judicial Council regarding the lack of candidates for District Judge positions. She wanted to ensure that the bar is involved in the committee being formed by the Idaho Supreme Court. The Commission agreed that the bar should request a position on the committee. The Commission also agreed to add a discussion of performance evaluations for all judges to the agenda for the meeting with the Idaho Supreme Court.

FINANCIAL REPORT

The Commission was provided with the October 31, 2008 financial reports. As of October 31, 94.6% of revenue was collected and 83.6% of expenses incurred. The Commission agreed to discuss how to encourage sections to expend their funds at the January meeting.

2009 PROPOSED BUDGET

The Commission considered the proposed 2009 budget. The Commission discussed the current economic situation. Although the bar is not subject to the state holdback, the Commission agreed that the budget should be adjusted to reflect a 1% decrease.

CONSTRUCTION UPDATE

The Executive Director reported that the plans for the construction projects are complete and the building permit issued.

There being no further business, the General Session adjourned at 11:50 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director